THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23860 of 2006

17.11.2006

Between:

Imran Khan

..Petitioner

And

The Mandal Revenue Officer, Kandukur Mandal, Maheshwaram, Ranga Reddy District and another.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23860 of 2006

ORDER:

The petitioner is a minor represented by a relative Mohammed Osman. He is allegedly the owner of land admeasuring Acs.5.23 guntas, in survey No.508 situated at Kandukur Village, Maheshwaram Mandal, Ranga Reddy District. His father died on 05.06.1996 and mother predeceased his father. He alleges that his maternal uncle, brothers and sister in collusion with the second respondent sold his property under a registered sale deed, dated 05.10.2005. Therefore, the petitioner filed a suit, being O.S.No.2014 of 2005, on the file of the Court of the I Senior Civil Judge, Ranga Reddy District, and obtained orders of *status quo* in I.A.No.3433 of 2005. On his enquiries in connection with the said suit, the petitioner came to know that the first respondent by proceedings in ROR No.B/4368/05, dated 12.12.2005, ordered an amendment in the Record of Rights, in respect of land in survey No.508 in favour of the second respondent. This order is assailed in the Writ Petition.

Against any order passed by the Mandal Revenue Officer-Recording Authority; making an amendment in the Record of Rights or refusing to make such an amendment, an appeal would lie to the jurisdictional Revenue Divisional Officer, within a period of sixty days. The petitioner has not availed such remedy. The learned counsel for the petitioner, however, submits that the petitioner came to know about the impugned order only when he was making enquiries at the time of filing of the suit. If that be so, nothing prevented the petitioner to approach the Revenue Divisional Officer and file an appeal with an appropriate application for condonation of delay and the impugned order was passed allegedly without notice to the petitioner or his guardian. Such liberty is reserved to the petitioner.

The Writ Petition, with the above observation, is accordingly dismissed, without expressing any opinion on the merits of the case. No costs.

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(V.V.S.RAO, J)

17.11.2006

GJ